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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 LOUIS CAMEJO-RODRIGUEZ, ) CASE NO. C09-0536-JLR  
09 )  
Petitioner, )  
10 )  
v. ) REPORT AND RECOMMENDATION  
11 )  
UNITED STATES OF AMERICA, )  
12 )  
Respondent. )  
13 \_\_\_\_\_ )

14 Plaintiff is a Washington state prisoner who has filed a motion to vacate, set aside, or  
15 correct his sentence pursuant to 28 U.S.C. § 2255. (Dkt. No. 1). His petition appears to attack  
16 a federal conviction entered against him in 1992 in the Southern District of Florida (Case No.  
17 92-571-CR-3). However, a § 2255 motion may be brought only in the district where the  
18 sentence being challenged was imposed. 28 U.S.C. § 2255. Thus, it appears that the proper  
19 venue for this action is the United States District Court for the Southern District of Florida.  
20 Although the Court could transfer this matter to the Southern District of Florida, it does not  
21 appear to be in the interest of justice to do so. *See* 28 U.S.C. § 1406(a). The relief that  
22 petitioner seeks in his § 2255 motion is to be transferred from the Washington prison where he

01 is confined to a facility in Florida, so that he may receive better medial treatment. (Dkt. No. 1  
02 at 7; Dkt. No. 4 at 3). Such relief is not available under § 2255. *See United States v. Kramer*,  
03 195 F.3d 1129, 1129-30 (9th Cir. 1999). Accordingly, the Court recommends that petitioner's  
04 § 2255 motion be dismissed. A proposed Order is attached.

05 DATED this 5th day of May, 2009.

06  
07 s/ Mary Alice Theiler  
08 United States Magistrate Judge  
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